

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>HARRY L. BECKETT,</b>	:	
<b>Plaintiff</b>	:	
	:	<b>No. 1:18-cv-00329</b>
<b>v.</b>	:	
	:	<b>(Judge Rambo)</b>
<b>GRANT, <u>et al.</u>,</b>	:	
<b>Defendants</b>	:	

**ORDER**

**AND NOW**, on this 28<sup>th</sup> day of March 2018, in accordance with the accompanying Memorandum, **IT IS ORDERED THAT:**

1. Plaintiff's motion to proceed in forma pauperis (Doc. No. 2), construed as a motion to proceed without full prepayment of the filing fee, is **GRANTED**;
2. Plaintiff's complaint (Doc. No. 1), is **DISMISSED** for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) as follows:
  - a. Plaintiff's Eighth Amendment condition of confinement claim is **DISMISSED without prejudice**;
  - b. Plaintiff's deprivation of property and access to the courts claims are **DISMISSED with prejudice**;
3. Plaintiff is granted thirty (30) days leave, from the date of this Order, to file an amended complaint with regard to his Eighth Amendment condition of confinement claim. Plaintiff is advised to adhere to the standards set forth in the Federal Rules of Civil Procedure and the directives set forth by this Court in its accompanying Memorandum. Failure to file an amended complaint in a timely fashion shall be deemed

an abandonment of this action and this matter will be dismissed with prejudice.

s/Sylvia H. Rambo

SYLVIA H. RAMBO

United States District Judge